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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,300	10/15/1999	PHIL-TAE KIM	P55862	1028

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EXAMINER

ABDULSELAM, ABBAS I

ART UNIT	PAPER NUMBER
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2674

28

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/419,300

Applicant(s)

KIM, PHIL-TAE

Examiner

Abbas I Abdulsalam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 26.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakurai (USN 5581685) in view of Choi (USN 5648781).

Regarding claims 1, 18 and 21, Sakurai teaches about displaying a menu, and submenu with area indicators. See Column 9, line 46-56, and Fig 13A. Sakurai teaches about displaying a menu in connection with menu items selection process (S4), and the process of loading and displaying a submenu (S11). Sakurai discloses an area indicator, which is increased or decreased by one for a display of submenu and for a display of previous menu respectively. See column 9, lines 47-57. Sakurai teaches an initial menu display as submenu 1, and discloses selecting submenu 1 (as shown by 11 in Fig. 5), which results in a next menu display showing a menu selection (13). However, Sakurai does not teach automatically adjusting the area indicator to be located within the submenu. Choi on the other hand teaches locating a cursor (32) on the desired submenu icon. For example, a cursor appearing on a main menu icon (30) is relocated and displayed on a submenu (34). See col. 3, lines 14-26 and Fig 2(C-D).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Sakurai's menu display system to adapt Choi's cursor movement within a menu as shown in Fig 2(C-D). One would have been motivated in view of the suggestion that the cursor movement provides the desired adjustment of an area indicator within a menu. The use of cursor movement helps locate the desired submenu as taught by Choi.

Furthermore, Choi teaches when a menu key is pressed, a main menu is displayed on a system monitor such that the cursor is initially located at a predetermined screen location. See Fig. 1 (100) and col. 3, lines 4-13.

Regarding claim 2, Choi teaches a cursor being displayed on a menu and submenu as shown in Fig. 2C and 2D respectively.

Regarding claims 3, 19-20 and 22-23, Choi teaches the use of a remote controller (50), cursor movement from menu to submenu (Fig 2C, 2D), operation of an enter installed in the remote controller (col. 2, lines 1-5) and the storage of menu (700) as shown in Fig. 3.

Regarding claim 24, see Choi's Fig 3. (58, 70)

2. Claims 4-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakurai (USPN 5581685) in view of Choi (USPN 5648781), Miyashita (USPN 6186630) and Takahisa et al, (USPN 5812937)

Regarding claims 4, 8, 17, Sakurai and Choi have been described above.

In addition Sakurai teaches that the file name of a submenu is stored in a display-file-name storage area allocated in a memory. See column 9, lines 42-47, and Fig 12. Moreover, Sakurai teaches that selection can be made using function keys in order to control the pages of the menu

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on a screen. See Column 9, line 24-30, line 42-46, line 57-63, and Fig 12. Sakurai also teaches displaying submenus (S29, S31) and their corresponding selection processes (S30, S32). See Fig. 3. Sakurai teaches about the executing command and the display of a submenu (14) based on a menu display definition file. See column 6, line 25-34, and Fig 5-6.

However, Sakurai does not teach about a remote controller with a trackball for controlling the movement of an indicator. Miyashita on the other hand teaches about a remote controller with a trackball (28a) for controlling a display position of a pointer. See Column 5, line 1-6, and Figure 3. In addition Miyashita teaches a multimedia presentation system including the use of a desired display area such as a screen (16). See Column 1, lines 16-21 and Fig 1.

Therefore, it would have been obvious to one having skill in the art at the time the invention was made to replace Sakurai's Keyboard (7) by Miyashita's remote controller (20) for the purpose of entering data. One would have been motivated in view of the suggestion in Miyashita that the remote controller (20) is equivalent to the desired remote controller for controlling the movement of an indicator.

Sakurai does not teach "storing a location of the menu item in reference to the menu area." Takahisa on the other hand teaches data storage (Fig. 6) system in which data for screens corresponding to menu selections are stored at locations (1110 through 1130). See col. 9, lines 13-23 and Fig. 6.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sakurai's menu display system to adapt Takahisa's technique of storing data corresponding to menu selection. One would have been motivated in view of the suggestion in Takahisa that storing menu selections as illustrated in Fig. 6 satisfies the desired

“storing of the location of the menu item.” The use of data storage that corresponds to menu selection helps function a liquid crystal display system as taught by Takahisa.

Regarding claim 17, in addition to what has been described above, Choi teaches the use of a remote control method for performing remote controlling of a television in which menu icons having predetermined control contents are utilized. Choi teaches the use of main menu, submenu, and the cursor that are displayed on the screen of the television (col. 1, lines 48-57). Choi further teaches displaying the menu icons and selecting the desired menu icon as well as displaying cursor on the screen and the cursor being initially displayed on a predetermined position of the screen according to the X, Y coordinates. See col. 1, lines 49-67. Moreover, referring to Fig. 3, Choi teaches a remote controller (50) including a trackball (54), a trackball movement sensing means (56) for sensing the movement of the trackball (54) as position shift value, a shift value data storage unit (58) for storing data with respect to the position shift values in advance, control commander (62) for selecting the menu icon which is displayed on the screen where the cursor is located, data generator (60) for generating the data corresponding to the sensed position shift value from shift value data storage unit (58) and transmitter (64) for coding and transmitting the data generated by data generator (60). Choi also teaches a television (52) including a receiver (66) for receiving the signal transmitted from the transmitter (64), menu display circuit (68) for displaying various menus of the television and the menu storage (70) for storing menus, submenus and control modes, a cursor display circuit (72) for displaying the cursor according to the movement of the trackball and content execution unit (74) for executing the function of the selected icon where the cursor is located.

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Regarding claims 5, and 14, Choi teaches a cursor being displayed on a menu and submenu as shown in Fig. 2C and 2D respectively.

Regarding claims 6-7, 11-12, and 15, Miyashita teaches about an enlargement of an image, and changing the position of a curser using a remote controller. See Column 3, line 10-17.

Regarding claims 9-10, Miyashita teaches about a projection system where the position of the pointer can be controlled apart from main control means. Miyashita further teaches that an operator can freely control the display position of the position mark by operating a hand-held remote controller. See Column 1, line 52-56, and Column 3, 5-10.

Regarding claim 13, see Miyashita's Fig 3 (28a 28b).

Regarding claim 16, Miyashita teaches an equivalent screen display. See 13A-B.

Conclusion

3. The prior art made of record and not relied upon is considered to applicant's disclosure.

The following arts are cited for further reference.

U.S. Pat. No. 6,618,063 to Kutenbach

U.S. Pat. No. 6,320,599 to Sciammarella

4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abduselam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand delivered responses should be brought to Crystal Park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

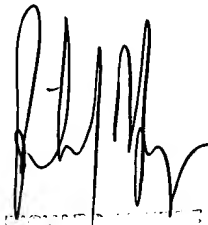
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.

Abbas Abdulsalam

Examiner

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